

REMARKS

Claims 1-35 are pending in this application. By this Amendment, claim 31 is amended and claims 34 and 35 are added. Support for the amendments may be found at least at paragraphs [0109], [0111] and [0113] of the specification. No new matter is added. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action, on page 4, indicates that claims 1-30 and 32 are allowed. Applicants appreciate the allowance of these claims.

The Office Action, on page 2, rejects claims 31 and 33 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,220,483 to van der Heijden. This rejection is respectfully traversed.

Without conceding the appropriateness of the rejection of claim 31, claim 31 is amended to recite, among other features, a pump body, the pump body including a spike connected to the remainder of the pump body by bridges of material.

The Office Action asserts that van der Heijden teaches the combination of all of the features recited in independent claim 31. Van der Heijden is directed to a dispensing assembly for dispensing two liquid components (Abstract). The Office Action asserts that piston section 40 corresponds to the recited spike. The Office Action also asserts that a particular unnumbered feature corresponds to the recited pump body. Van der Heijden, however, cannot reasonably be considered to teach, or to have suggested, that the piston section 40 is connected to the Office Action asserted pump body by bridges of material.

Van der Heijden teaches, in Fig. 1, an inner piston 22 that comprises piston sections 40 and 41. Van der Heijden depicts that the piston section 40 is in contact with the inner piston pump 20. There is nothing, however, in van der Heijden that can reasonably be

considered to teach, or to have suggested, that the pump body including a spike is connected to the remainder of the pump body by bridges of material.

For at least the foregoing reason, van der Heijden cannot reasonably be considered to teach the combination of all of the features recited in independent claim 31. Further, dependent claim 33 would also not have been anticipated by van der Heijden for at least its dependence on claim 31, as well as for the separately patentable subject matter that claim 33 recites.

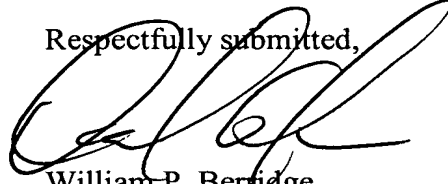
Accordingly, reconsideration and withdrawal of the rejection of claims 31 and 33 under 35 U.S.C. §102(b) as being anticipated by van der Heijden are respectfully requested.

Added claims 34 and 35 are also allowable over the currently-applied reference because van der Heijden cannot reasonably be considered to teach, or to have suggested, (1) that the spike includes a conically shaped top converging upwards and (2) that the skirt houses a movable valve member having a bottom recess suitable for engaging the spike when the moving body has been depressed over a certain stroke, as recited in added claims 34 and 35, respectively. In addition, the piston section 40 in van der Heijden is configured to receiving a piston section 41 through its upper end. Because van der Heijden teaches that this piston section 40 receives the piston section 41, van der Heijden cannot be considered to have suggested modifying the shape of the piston section 40 so that it includes a conically shaped top converging upwards.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 31 and 33, and consideration and allowance of claims 34 and 35, in addition to the allowance of claims 1-30 and 32, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Daniel A. Tanner, III
Registration No. 54,734

WPB:MJS/cfr

Attachment:

Amendment Transmittal
Petition for Extension of Time

Date: May 21, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--